

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	CRIMINAL NO. 22-215
REUBEN KING	:	

ORDER

AND NOW, this _____ day of _____, 2024, upon consideration of the government's motion for a 60 day extension of the discovery schedule for ancillary litigation in this matter, it is hereby ORDERED that the motion is GRANTED. It is FURTHER ORDERED that discovery shall be completed by August 17, 2024, and any dispositive motions shall be filed by September 3, 2024. A hearing on all ancillary petitions is scheduled for _____, in Courtroom C, Third Floor, United States District Court for the Eastern District of Pennsylvania, Edward N. Cahn, U.S. Courthouse and Federal Building, 504 West Hamilton Street, Allentown, Pennsylvania, 18101.

BY THE COURT:

HONORABLE JOSEPH F. LEESON, JR.
United States District Court Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

 v. : **CRIMINAL NO. 22-215**

REUBEN KING :

**GOVERNMENT’S SECOND MOTION FOR EXTENSION OF
DISCOVERY SCHEDULE FOR ANCILLARY LITIGATION**

Several third parties have filed ancillary petitions to assert an interest in property subject to forfeiture in this matter. However, the deadline for the filing of ancillary petitions is May 1, 2024. For the reasons set forth below, the government respectfully requests an extension of the discovery deadlines set forth in this Court’s April 4, 2024, order (ECF 94).

1. On June 28, 2022, defendant Reuben King was charged in an Indictment with dealing in firearms without a license, in violation of 18 U.S.C. § 922(a)(1)(A) (Count One).
2. The Indictment also contained a Notice of Forfeiture. The Notice of Forfeiture alleged that certain property is forfeitable, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), as a result of the defendant’s violation of 18 U.S.C. § 922(a)(1)(A) (Count One).
3. Following a trial, on May 17, 2023, the defendant was convicted of Count One, dealing in firearms without a license, in violation of 18 U.S.C. § 922(a)(1)(A).
4. Pursuant to Fed. R. Crim. P. 32.2, the defendant exercised his right to retain the jury to determine the forfeitability of the assets listed in the Notice of Forfeiture in the Indictment.
5. On May 18, 2023, the jury determined the forfeitability of the assets listed in the Notice of Forfeiture in the Indictment.
6. On January 19, 2024, the Court entered a Judgment and Preliminary Order of Forfeiture, based on the jury’s forfeiture determination at trial.

7. Consistent with federal law, following the entry of the Judgment and Preliminary Order of Forfeiture, the government began the public advertisement of the pending forfeiture in order to allow third-party claimants to file ancillary petitions. *See* Fed. R. Crim. P. 32.2(c); 21 U.S.C. § 853(n).

8. Several individuals have filed ancillary petitions to assert an interest in firearms that are subject to forfeiture in this case.

9. On March 12, 2024, this Court issued an order setting various discovery deadlines for the ancillary petitions that have already been filed, in accordance with Federal Rule of Criminal Procedure 32.2(c).

10. The deadline for the submission of ancillary petitions based on the advertisement described in Paragraph 7 above is May 1, 2024. As a result, the original filing deadline extended beyond the discovery deadlines then in force under the March 12, 2024, order.

11. The government requested an extension of the discovery deadlines, to accommodate the May 1, 2024, claim-filing deadline, which this Court granted in its order of April 4, 2024.

12. Presently, the Court is appointing a guardian ad litem for certain ancillary petitioners who appear to be defendant Reuben King's minor children. Any appointed guardian will need time to become familiar with this case.

13. The government is working to determine whether the issues between the parties may be resolved through negotiation. However, government trial counsel has been steadily engaged in the preparation and litigation and of other matters, and thus an additional extension of 60 days is necessary to complete that process.

14. An extension of 60 days will also allow the guardian ad litem time to become familiar with this matter and thus be able to participate in discussions to resolve the matter.

15. The government respectfully requests an extension of an additional 60 days of the discovery deadlines that this Court set in its April 4, 2024.

16. The government thus respectfully requests that the close of discovery be extended to August 17, 2024, with any dispositive motions to be filed by September 3, 2024. The government further respectfully

requests that this Court reschedule a hearing on all ancillary petitions, at a date and time convenient to the Court and consistent with the 60 day extension.

IV. CONCLUSION

For the reasons stated above, the government respectfully requests that this Court modify the discovery schedule for the ancillary forfeiture litigation in this case.

Respectfully submitted,

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/s/ Elizabeth M. Ray

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Date: April 25, 2024.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Government's Second Motion for Extension of Discovery Schedule For Ancillary Litigation has been served by me, this date, by first class mail upon the following individuals:

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Date: April 25, 2024